

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

2007 NOV -1 AM 10:14

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

CLERK  
SO. DIST. OF GA.

DEWEY WILL SHEALY,

Plaintiff,

v.

CIVIL ACTION NO.: CV207-093

TAMELA BROWN, Warden of Care and  
Treatment; Dr. WILLIAM L. MUSIC;  
PAULINE EASON, LPN, and Food  
Officer BROWN,

Defendants.

**ORDER**


After an independent review of the record, the Court concurs with the Magistrate Judge's recommendation that Plaintiff's Complaint be dismissed for failure to state a claim. Plaintiff has filed Objections to the Report and Recommendation, wherein he reasserts the factual allegations of his Complaint and provides documentation of his medical treatment at Wayne State Prison.

As the Magistrate Judge correctly reported, Plaintiff has failed to state a claim upon which relief may be granted. Plaintiff has simply alleged no facts that would support a deliberate indifference to serious medical needs claim, nor has he made any allegation of a sufficiently serious risk or injury to his health or safety so as to state any Eighth Amendment claim. Even accepting all of Plaintiff's allegations as true, they do not state a cognizable deliberate indifference claim, as he appears to have been

regularly treated by medical staff at Wayne State Prison for his various ailments. The fact that the course of his treatment was not what he deemed appropriate does not amount to an Eighth Amendment violation. See Harris v. Thigpen, 941 F.2d 1495, 1505 (11th Cir. 1991).

Plaintiff's Objections are without merit. Plaintiff's Complaint is hereby **DISMISSED**. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 1<sup>st</sup> day of November, 2007.

  
\_\_\_\_\_  
JUDGE, UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA